"EXHIBIT A"

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

NOS. 81-1609 & 81-1611

UNITED STATES OF AMERICA

v.

AUGUSTINE MAZZIO, a/k/a Gus,
Appellant in No. 81-1609

SAMUEL SLIWOO,
Appellant in No. 81-1611

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
Crim. No. 80-00291-01 & 04

Submitted Under Third Circuit Rule 12(6)
February 19, 1982

Before: ADAMS and SLOVITER, Circuit Judges, and
STERN, District Judge.*

JUDGMENT ORDER

After consideration of all contentions raised by appellants, namely, that (1) the trial judge erred in his supplemental instructions to the jury by stating that the defense of entrapment was apposite only if defendant was wholly innocent and by reducing the inquiry to an assessment of the relative credibility of the government's and the defense's positions; (2) the trial judge committed prejudicial error by his failure to grant a separate trial for the defendant Samuel Sliwoo; (3) the prosecutor's cross-examination of the defendant Sliwoo's character witnesses improperly invaded the province of the jury and denied Sliwoo an opportunity to present his defense; (4) the prejudicial and inflammatory comments of the prosecutor in his closing statements constitute reversible error; and (5) the

government indictment and trial of the defendant Sliwoo pursuant to the RICO Statute, 18 U.S.C. §§ 1961, et seq. was unconstitutional as applied and an attempt to circumvent the general law of conspiracy and Fed. R. Crim. Pro. 8 and 14, it is

ADJUDGED AND ORDERED that the judgment of the district court be and is hereby affirmed.

BY THE COURT.

Circuit Judge

ATTEST:

Sally Mrvos, Clerk

DATED: February 25, 1982

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* Hon. Herbert J. Stern, United States District Judge for the District of New Jersey, sitting by designation.